

## **REMARKS**

### **I. Status Of Claims**

Claims 1-40 are pending.

Claims 1-40 stand rejected.

Claim 1 has been amended. No new matter has been added.

Claims 6 and 24 have been cancelled.

Claims 41- 57 are new

No new matter has been added.

### **II. Rejection Under 35 USC §103**

The examiner has again rejected claims 1-5, 7-23, 25-36 and 40 under 35 USC §103(a) as being unpatentable over Landry (U.S. 5,956,700) in view of Owens (U.S. 6,092,055). It is the examiner's position with regard to independent claims 1 and 19 that Landry "discloses the system and method for processing account information contained in batch files in an on-line manner, said method comprising reading at least one batch file ... (col. 11, lines 64 – col. 12, lines 19); identifying which of said plurality of records relates ... (col. 12, lines 40-65); processing each of said records ... (col. 13, lines 35-60). However, Landry didn't disclose: selecting one of said accounts in accordance with a control cycle and restricting access selected account and removing said restricted to one of the selected account after all of said records identified as related to said selected account are processed. On the other hand, Owens discloses selecting and restricting access to one of said accounts selecting one of said accounts in accordance with a control cycle and restricting access selected account and removing said restricted to one of the selected account restricted access to said selected one of said accounts after all of said records identified as related to said selected one of said accounts are processed. Thus, ... it would have been obvious ... to include the step selecting and removing said restricted

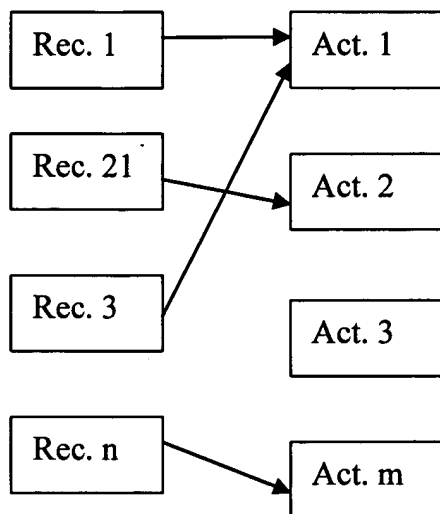
access selecting one of said accounts in accordance with a control cycle and restricting access selected account and removing said restricted to one of the selected account Landry as taught by Owens. The motivation being to enable the system that locks an account while the account is being billed and then releases the account for providing a clean accounting close for a real time transaction processing system. the motivation for locking in Owen differs from that of the present invention.

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

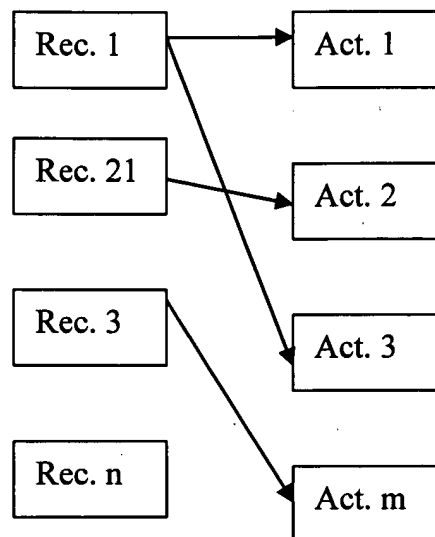
The references cited, individually or in combination, contrary to the examiner's position, do not teach, disclose, or provide the motivation for one skilled in the art to develop the novel features of the present invention as suggested by the examiner, as will be shown.

With regard to claim 1, this claim teaches a system that has a plurality of records of which one or more records may be identified with a specific account. No record is identified with more than one account. After identification of the records to an account, each of the records in associated with an account are then processed. This method of operation requires a lock out. However, it is not motivated by locking out a transaction event as described in Owens.

Applicant had previously argued that in regards to Landry, the payor information may include information for a plurality of accounts or records and that processing is based on the payee information processing each of the associated payor information records. This difference between the structure of the present invention and the Landry reference is clearly shown in the following illustration:



Present Invention



Landry System

As shown, the present invention allows for each record being associated with a single account and multiple records may be associated with the same account, i.e., multiple-to-one. Processing is based on the accounts to process each of the records. This relationship requires processing of multiple records for a single account even when the records may or may not be in sequence. Hence, Landry does not teach the structure or the processing described in the claims of the present invention. The fact alone prevents combining Landry with the teaching of Owen to achieve the operation provided by the present invention. Landry *associates a multiplicity of accounts with one record* or alternatively stated, *one record may be associated with a plurality of accounts*, i.e., one-to-many, as each account includes specific payee information for the payor, even though the payee information for individual accounts may be the same. The

processing is then based on the payee information in satisfying the obligations of each of the associated accounts. Landry fails to provide the present invention claim 1 steps of: *reading at least one batch file containing a plurality of records, each of said plurality of records associated with one of a plurality of accounts; identifying which of said plurality of records relate to same ones of said plurality of accounts*. Therefore, even if for argument's sake, the Owen reference were combined with Landry, the resulting process or system would not achieve the aims of a user who needed to associate a plurality of records with one account. Neither Landry nor Owen disclose the Applicant's present invention which requires the lock out in order to read all records only associated with one account before going on to the next account. Owens motivation for locking out is to lock an account while the account is being billed and then it is released. The restriction must be maintained until as claim 1 specifies: *"removing said restricted access to said selected account after all of said records identified as related to said selected account are processed."* Owen does not provide lock out as a solution to the problem of only processing multiple records that may or may not be sequenced. Since by virtue of the architecture or structure of Landry, Owen would never have had the motivation to lock out or restrict the accounts.

In the instant invention, the examiner believes that the Landry reference combined with the teachings of the Owen reference would be sufficient to render claim 1 obvious. However, the teachings of Landry and Owen do not suggest any motivation for combining the references. Neither the Landry reference, as stated by the examiner, nor the Owen reference discloses or suggests "selecting and restricting access" as that phrase is meant to function as recited in claim 1. In fact, Owen would never consider such a step as its transactions are locked or restricted from the moment the billing process is underway.

The present invention is significantly distinguished from Owens because it deals with a batch processing system and Owens deals with a real-time system. The present invention simulates online transaction processing for each individual account. This represents a significant departure from conventional batch processing methodology. The motivation for the present invention rests in the fact that the old legacy systems are not real-time systems and as such are rapidly becoming obsolete because traditionally the billing cycles had to be performed in off business hours. The present invention takes a batch system and allows it to process bills in any

24 hour period in order to improve its efficiency and more nearly approach the benefits of “real-time” bill processing without actually being a real-time system. However, the problems and constraints one needs to address in making a batch processor “look like” a real time system and real-time system must be capable of transacting a billing operations that are very different. In concept, motivation or reason for employing a lock in Owens and arguably related restriction in the present invention are completely different. The use of the lock in Owens is different from the use of the restriction in the present invention.

Owens states “Real time event rating and billing systems offer important advantages over traditional billing systems. In a traditional billing system, transaction events are time stamped and entered into a database. In order to determine an account balance at a certain point in time it is necessary to search the database and retrieve all of the transaction events that occurred within the time period of interest and compute the account balance based on the transaction events found. A disadvantage of such a system is that real time balances are not kept, that is, a search and calculations are required to determine current balances at any point in time. No running balance total is stored in memory.(col. 1, lines 17-29)” This is a fairly accurate description of the system of the present invention overcomes.

Unlike transactions which flow in real time, the present invention, which does not operate in real time, cuts-off transactions prior to inputting file routines as indicated in step 1000 (see, Fig. 1). This cut-off is comparable to the Owens concept of “locking the account”.

Because Owens is a real time system it requires an interlock system that locks an account while the account *is being billed and then releases the account*. It states in the Abstract: “When a transaction event is received that should be posted to an account during the billing process, the account is locked.” In the present invention the lock or restriction is not employed because a transaction event is potentially being received, but because “..., the next *account* to be processed is dequeued from the distinct accounts table 1080, the work queue 1060 is scanned for entries for that selected *account*, and the corresponding entry in the staging table 1030 is processed 1100 for each entry found for the selected *account* in work queue 1060.(Para. 00019)”. In the present invention the record of a transaction is complete at step 1000. However, the lock or restriction is only placed during the dequeuing step 1090. The present invention indicates that “During

dequeuing 1090, the *account* to be processed at step 1100 is locked out, *and each record in the one or more staging tables 1030 that relates or effects it is processed such that all records that relate to that single account are processed together before any records that relate to other accounts are processed.* In this way, all transactions that effect a given *account* are processed together, and the remaining accounts which will not be effected by the processing need not be locked (Para 00022).” It is not because it requires an interlock system that locks an account while the account *is being billed*. It has to do simply with processing 1100 of all records in the staging table 1030 *which relate to the single account* being processed, and being able to relate the plurality of records belonging to a selected *account* with the selected account. This is the “many to one” concept illustrated in the figure. Once the plurality of records belonging to a selected *account* are compiled into the selected account these records can be unlocked and another *account* locked for processing. In this way, the present invention enables all accounts except the one being immediately processed to remain unlocked and hence accessible to access or other processes (see, Para. 00022).

Therefore, Landy would not have been motivated to use Owens since Owens locks out transactions from being billed that are arriving at the system in real time and the present invention uses a restriction or lock to prevent other accounts from being affected while the immediate account is being processed.

Applicant respectfully disagrees with and explicitly traverses the examiner's re-stated (Landry) and newly state (Owens) reasons for rejecting the claims. However, in the interest of advancing the prosecution of this matter, applicant has amended the claim 1 to more clearly state the invention. Landry arguably may identify which of said plurality of records relate to same ones of said plurality of accounts, but it does not teach creating a work queue which includes index-like entries which identify each of the plurality of staged records of plurality of accounts. Applicant believes that the present invention is not obvious in view of the references cited by the examiner.

Having shown that Landry and Owens do not teach, disclose or provide the motivation for one skilled in the art to develop the novel features of the present invention, applicant submits

that the examiner's combination of such references is not justified. Accordingly, the reasons for rejecting the claims are not sustainable.

Furthermore, even if the references were combined in some manner, the combined teachings would not, as shown above, include each of the steps of the instant invention because the operations of the instant invention and the Landry or Owen reference are not compatible, one dealing with batch systems and the other real-time systems.

With regard to independent claim 19, the examiner rejected this claim citing the same references used in rejecting claim 1. Thus applicant's remarks made in response to claim 1 are repeated with regard to claim 19. Accordingly, applicant submits that in view of the remarks made with regard to the rejection of claim 1, which are repeated herein in response to the rejection of claim 19, the examiner's rejection of claim 19 can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of claim 19.

The examiner has rejected each of the dependent claims based on a rejection of the independent claim from which they depend. Accordingly, the applicant's remarks made in response to claims 1 and 19 are also applicable in response to the rejection of each of the dependent claims 2 and 20; 3 and 21; 4 and 22; 5 and 23; 7 and 25; 8 and 26; 9 and 27; 10 and 28; 11 and 29; 12; 13; 14 and 32; 15 and 33; 16 and 34; 17 and 35; 18 and 36; 30; 31 and 40. In view of the remarks made with regard to the rejection of claims 1 and 19, which are repeated herein in response to the rejection of the dependent claims, applicant respectfully submits that the examiner's rejection of the dependent claims can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of each of the dependent claims.

With regard to claims 37-39, the examiner rejected this claim citing the same references used in rejecting claim 1. These claims also depend from claim 19. Accordingly, the applicant's remarks made in response to claim 19 are also applicable in response to the rejection of each of the dependent claims 37-39. In view of the remarks made with regard to the rejection of claim 19, which are repeated herein in response to the rejection of the dependent claims, applicant respectfully submits that the examiner's rejection of the dependent claims can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of each of the dependent claims 37-39.

Applicant submits that the reasons for the examiner's rejection of the claims have been overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of the claims.

Applicant has added new claims support for which is generally found in Paragraph 00022. No new matter has been added

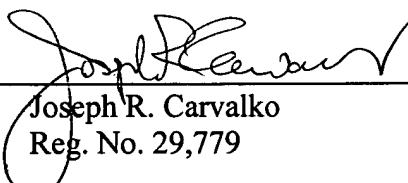
### **III. Conclusion**

Having addressed the examiner's objections to the specification and rejection of the claims under 35 USC §103, applicant submits that the reasons for the examiner's rejection have been overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the objection and rejection and that a Notice of Allowance regarding claims 1-40 and new claims 41 through 58 be issued.

If the examiner believes that the prosecution of this matter may be advanced by a telephone call, the examiner is invited to contact applicant's attorney at the telephone number indicated below.

Respectfully submitted,

Dated: March 18, 2003

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